

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA
BLUEFIELD

LATHRONEA P. GRESHAM,

Plaintiff,

v.

CIVIL ACTION NOS. 1:92-01003
1:92-01004

TRANSPORATION COMMUNICATIONS
INTERNATIONAL UNION, et al.,

Defendants.

MEMORANDUM OPINION AND ORDER

By Order entered on April 12, 2016, plaintiff was "PROHIBITED from filing any further motions or papers in these cases unless such motions or papers are certified as non-frivolous by an attorney." The Clerk was further directed "not to accept any further motions or papers filed by plaintiff in these actions unless they are so certified." Finally, plaintiff was advised as follows: "**THIS ORDER DOES NOT APPLY TO ANY NOTICE OF APPEAL TO THE UNITED STATES COURT OF APPEALS FOR THE FOURTH CIRCUIT SHOULD PLAINTIFF WISH TO OBTAIN REVIEW OF THIS ORDER."**

On August 6, 2018, the Clerk's Office received a packet of documents from plaintiff addressed to Chief Judge Johnston. On August 20, 2018, the Clerk's Office received a document entitled "Motion for a Temporary Restraining Order" from plaintiff. These papers are largely incomprehensible. However, they do not appear to be a Notice of Appeal nor are they certified as non-frivolous by an attorney. Furthermore, they do not indicate an

intent to open a new civil action but bear the case numbers of plaintiff's long-closed civil actions.

Portions of the documents refer to recent actions purportedly taken against plaintiff's husband, John M. Gresham, including his termination from employment from a non-party to these long-closed lawsuits. If Ms. Gresham wishes to pursue a new civil action on behalf of Mr. Gresham, she should seek to file **a NEW CIVIL ACTION** indicating as much and pay the appropriate filing fee. As the court's earlier order advised: "This Order does not place any limitation on plaintiff's ability to pursue litigation in any other case in this court or any other court, state or federal. Nor does this Order prohibit plaintiff from filing any new lawsuits that have a legitimate basis and comply with Federal Rule of Civil Procedure 11(b) after payment of the appropriate filing fee." The court expresses no opinion on the merits of any such lawsuit, Ms. Gresham's capacity to file such a lawsuit, and/or whether such a lawsuit is cognizable or appropriately filed in federal court.

Accordingly, the Clerk is directed to return the documents received on August 6, 2018, and August 20, 2018, to Ms. Gresham. If Ms. Gresham wishes to file a notice of appeal of this Memorandum Opinion and Order, her filings should clearly indicate as much.

The Clerk is directed to send copies of this Memorandum
Opinion and Order to counsel of record and to plaintiff, pro se.

IT IS SO ORDERED this 27th day of August, 2018.

ENTER:

David A. Faber

David A. Faber
Senior United States District Judge